IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 7922 of 2001

Between:

1 M.Srinavas, S/o. M.Adinarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
2 Chavali Krishnarao, S/o. Laxminarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
3 M.V.Suryanarayana, S/o. Satyanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
4 M.V.V.Subrahmanyam, S/o. Suryanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
5 Chavali Krishnarao, S/o. Laxminarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
6 Chavali V.Satyathananda Murty, S/o. Visweswarlu,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
7 Chavali Subbarao, S/o. Krishna,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
8 Jilla Chinnarao, S/o. Subrahmanyam,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
9 Mattey Adinarayana, S/o. Lingaraju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
10 Mattey Nagamani, D/o. Adinarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
11 K.Veerabadrarao, S/o. Ramamurty,
R/o. Pleaders Street, Peddapuram,

East Godavari District.

12 K.Srinivasarao, S/o. Veerabadrarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

13 S.A.Nabi, S/o. Khajahussain,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

14 M.D.Nurjahan, S/o. M.D.Anwer,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

15 Ahmed Unnisabegam, W/o. Md.Khader,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

16 Sheik Jilani, S/o. Khajahussain,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

17 S.Salim Badusha, S/o. S.A.Rahim,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

18 S.Ismail, S/o. Khajahussain,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

19 Saleem, S/o. S.A.Rahim,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

20 M.D.Anwer (Ex-Counciler), S/o. Ahmed,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

21 S.K.Begam, S/o. Md.Khader,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

22 J.R.B.Subbarao, S/o. Suryanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

23 J.Gopalakrishnamurty, S/o. Suryanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

24 B.Suryanarayana, S/o. Chelamayya,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

25 J.Sridevi, W/o. Ramakrishna,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

26 S.V.V.L.N.Raju, S/o.S.N.J.Raju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

27 V.Padma, W/o. S.V.V.L.N.Raju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

28 K.V.S.R.M.K.Prasad, S/o. K.Parrayyasetty,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

29 A.N.V.Kumarraju, S/o. Gunnam Raju,

R/o. Pleaders Street, Peddapuram,
East Godavari District.

30 A.N.Devi, W/o. Gunnam Raju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

31 K.Venkatalaxmi, W/o. Krishnamurty,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

32 A.Lakshmiindira, D/o. Ramakrishna,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

33 K.S.Krishnamurty, S/o. Pattabhiramaiah,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

34 M.Ramarao, S/o. Satyanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

35 C.Sudarsanarao, S/o. Bhupathi,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

36 Dharanikota Krishnaveni, W/o. Sathiraju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

37 Dharanikota Sathiraju, S/o. Subbarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

38 Dharanikota Suresh, S/o. Sathiraju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

39 D.Nanaji, S/o. Subbarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

40 D.V.V.Satyanarayana, S/o. Suryakantam,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

41 D.Sriramulu, S/o. Ramaswamy,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

42 D.Ratnam, W/o. Sriramulu,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

43 G.Srinivasarao, S/o. Ramakrishna,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

44 M.S.Kamala, W/o. M.S.Prasad,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

45 M.Vidyullatha, W/o. M.Srinivas,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

46 J.V.V.S.Ramakrishnarao, S/o. Satyanarayana ,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

47 D.Sriramamurty, S/o. D.V.Sastry,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
48 K.Ramamohan, S/o.Veerabadrarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
49 K.Prabhavathi, W/o. Veerabadrarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
50 G.Srinivasarao, S/o. G.S.Subbarao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
51 P.Varahalu, S/o.P.V.Ramanamurty,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
52 G.Lakshmi, W/o.G.V.Raju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
53 G.S.V.L.Jyothi, W/o. G.V.Raju,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
54 P.S.R.Krishnaveni, W/o. P.Gopal,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
55 R.Venkateswarlu, S/o. Lachanna,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
56 R.Bhaskararao, S/o. Venkateswrlu,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
57 P.Bhogaraju, S/o. Chalapathirao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
58 V.Satyanaranayan, S/o. Venkateswarasastry,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
59 V.J.Lakshmi, W/o. Styanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
60 R.S.V.Chalapathirao, S/o. Chalapathi,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
61 V.Padmavathi, W/o. V.V.Rao,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
62 P.B.S.Ramacharyulu, S/o. Suryanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
63 V.V.K.Subbarao, S/o. Satyanarayananamurty,
R/o. Pleaders Street, Peddapuram,
East Godavari District.
64 V.Vasanthi, W/o. Venkataramana,
R/o. Pleaders Street, Peddapuram,

East Godavari District.

65 Babji, S/o. Kumaraswamy,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

66 M.S.Prasad, S/o. Adinarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

67 M.V.V.S.S.Ramamohanarao, S/o. Venkatanarayana,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

68 Md.Adil Ali, S/o. Md. Sultanaji,
R/o. Pleaders Street, Peddapuram,
East Godavari District.

..... PETITIONERS

AND

1 State of Andhra Pradesh, Rep. by its Secretary to Government,
Revenue (Excise) Department, Secretariat,
Hyderabad - 22.

2 The District Collector,
Kakinada, East Godavari District.

3 The Revenue Divisional Officer,
Peddapuram, East Godavari District.

4 The Commissioner of Excise & Prohibition,

Government of Andhra Pradesh,
Nampally, Hyderabad.

5 The Excise Superintendent, Rep. by its Secretary to Government,
Kakinada, East Godavari District.

6 The Excise Inspector,
Darga Center, Peddapuram,
East Godavari District.

7 The Municipal Commissioner,
Peddapuram Municipality, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus (a) declaring the action of the respondents in considering the issuance of any permit or license for running of a bar and restaurant in Pleaders Street, Peddapuram, East Godavari District as violative of the fundamental rights guaranteed to the residents in general and the petitioners in particular under ARticle 21 of the Constitution of India; (b) and consequently direct the respondents to refrain from issuing any license to run a Bar and Restaurant in Pleaders Street, Peddapuram, East Godavari District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

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ORDER:

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The petitioners are residents of Peddapuram. They are aggrieved by the action of the respondents in granting a licence in Form IL 17 at Pleaders Street, Peddapuram. When the respondents were taking steps to issue such licence during the year 2002-2003, the present writ petition is filed.

Therefore, the cause of action does not survive. As and when any application is received by the Commissioner, Prohibition and Excise, for grant of IL 17 licence, it shall be open to the petitioners to approach the competent authority and raise their objections. Any objections raised by the residents of the locality may be considered by the competent authority.

The writ petition, with the above observations, is dismissed. No costs.

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(V.V.S.RAO, J)

01.07.2005

vs

To

1 The Secretary to Government, State of Andhra Pradesh,
Revenue (Excise) Department, Secretariat,
Hyderabad - 22.
2 The District Collector,
Kakinada, East Godavari District.
3 The Revenue Divisional Officer,
Peddapuram, East Godavari District.
4 The Commissioner of Excise & Prohibition,

Government of Andhra Pradesh,
Nampally, Hyderabad.
5 The Excise Superintendent, Rep. by its Secretary to Government,
Kakinada, East Godavari District.
6 The Excise Inspector,
Darga Center, Peddapuram,
East Godavari District.
7 The Municipal Commissioner,
Peddapuram Municipality, East Godavari District.

8 Two CCs to the G.P for Prohibition and Excise, High Court of A.P.,
Hyderabad(O.U.T)

9 2 CD copies